

## **REMARKS**

### **I. Introduction**

Claims 15-28 remain pending in the present application. Applicants thank the Examiner for allowing claims 22-28. In view of the following remarks, it is respectfully submitted that remaining claims 15-21 are allowable in their present form, and reconsideration is respectfully requested.

### **II. Rejection of Claims 15 and 18-21 under 35 U.S.C. § 103(a)**

Claims 15 and 18-21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,985,805 ("Sudou") in view of U.S. Patent No. 6,161,524 ("Akbarian"). Applicants note that Sudou has an earliest U.S. filing date of June 11, 2003 and an earliest U.S. publication date of December 25, 2003, both of which dates are well after the effective U.S. filing date of the present application, October 14, 2002 (the filing date of the underlying PCT application from which the present application is based). Therefore, Sudou is not a valid prior art reference against the present application. In addition, Akbarian clearly fails to anticipate claim 15 and its dependent claims 18-21. Therefore, claims 15 and 18-21 are in allowable condition, and the rejection of claims 15 and 18-21 based on Sudou and Akbarian must be withdrawn.

### **III. Objection to Claims 16-17**

The Examiner objected to claims 16-17 as being dependent upon a rejected base claim, but the Examiner also indicated that claims 16-17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants note that claims 16-17 are dependent on claim 15, which has been explained to be in allowable condition. Therefore, dependent claims 16-17 are also allowable in their present dependent form.

**IV. Conclusion**

In view of all of the above, it is respectfully submitted that all of the presently pending claims 15-28 are in allowable condition. Prompt reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

 (R. No. 36,197)

Dated: August 7, 2007

By: SONG LEE for Gerard Messina  
Gerard A. Messina  
(Reg. No. 35,952)

KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200

**CUSTOMER NO. 26646**